IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	Birnbrich et al.
Appl. No.	:	09/782,366
Filed	:	02/13/01
Title	:	HYDROPHILIC ADDITIVE
Grp./A.U.	:	1771
Examiner	:	L. Salvatore
Docket No.	:	C 2220 US

[illegible]

I hereby certify that this paper is being [illegible]

Washington, DC 20231

RESPONSE TO RESTRICTION REQUIREMENT

[illegible] in response to [illegible]

The Examiner has made [illegible]

Examiner has indicated that the invention of Class [illegible] increasing the hydrophilicity of a polymer, classified in Class 525, subclass [illegible]. The invention of Group II, claims 20-31 is said to be directed to a non-woven fabric, classified in Class 442, subclass 414.

The inventions are said to be distinct, each from the other because the intermediate polymer product is deemed to be useful as an extruded film and the inventions are deemed patentably distinct since there is nothing on this record to show them to be obvious variants.

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Applicant respectfully disagrees with the Examiner's above-noted contentions and submits that no clear reason appears in the record to justify grouping claims (1-19) in Group I and claims (20-31) in Group II. More particularly, the Examiner contends that the inventions are different because: (1) the intermediate polymer product as claimed can be useful as an extruded film, and (2) there is nothing on the record to show them to be obvious variants.

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Secondly, with respect to the element of distinctness, the Examiner has not even offered an opinion as to why

invention herein claimed, the

considered together. The fact that the claims of the two groups may be

separately is not conclusive of independence of invention. The classification system is primarily designed for convenient searching and not necessarily to distinguish separate inventions. It would appear that a complete search of the claims would require a search of all the classes and subclasses identified by the Examiner. Thus, restriction of the application to a single group would not appreciably shorten the necessary search.

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The requirement is thus respectfully traversed and reconsideration and withdrawal thereof is requested. However, in order to comply with the requirement of Rule 142, Applicant is provisionally electing the invention of Group I, claims 1-10, with traverse, for further examination on the merits.

Respectfully submitted,

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